

RESOLUTION

A RESOLUTION SETTING A PUBLIC HEARING ON THE VACATION OF LANDSCAPE BUFFER, DRAINAGE, AND STORM SEWER EASEMENTS LOCATED ON LOT 1, PLAZA SHOPS AT PRAIRIE TRAIL PLAT 1, AND OWNED BY HY-VEE, INC.

WHEREAS, the staff of the City of Ankeny has recommended that the City vacate Landscape Buffer, Drainage and Storm Sewer Easements recorded in Book 12246 Pages 293-305 of the records of the Polk County Recorder said easement being legally described as follows:

LOT 1

10' LANDSCAPE BUFFER EASEMENT VACATION DESCRIPTION:

A PART OF LOT 1 OF PLAZA SHOPS AT PRAIRIE TRAIL PLAT 1, AN OFFICIAL PLAT IN THE CITY OF ANKENY, POLK COUNTY, IOWA, BEING 10.00 FEET WIDE AND LYING SOUTH OF AND ADJOINING THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 1; THENCE SOUTH 88°05'30" EAST ALONG THE NORTHERLY LINE OF SAID LOT 1, A DISTANCE OF 64.09 FEET; THENCE NORTH 53°54'30" EAST CONTINUING ALONG SAID NORTHERLY LINE, 314.59 FEET TO THE POINT OF TERMINUS.

10' DRAINAGE EASEMENT VACATION DESCRIPTION:

A PART OF LOT 1 OF PLAZA SHOPS AT PRAIRIE TRAIL PLAT 1, AN OFFICIAL PLAT IN THE CITY OF ANKENY, POLK COUNTY, IOWA, BEING 10.00 FEET WIDE AND WHOSE NORTHERLY LINE IS 10.00 FEET SOUTH OF AND PARALLEL TO THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 1; THENCE SOUTH 88°05'30" EAST ALONG THE NORTHERLY LINE OF SAID LOT 1, A DISTANCE OF 64.09 FEET; THENCE NORTH 53°54'30" EAST CONTINUING ALONG SAID NORTHERLY LINE, 314.59 FEET AND THEN EXTENDING TO THE WESTERLY LINE OF LOT P OF SAID PLAZA SHOPS AT PRAIRIE TRAIL PLAT 1 TO THE POINT OF TERMINUS.

15' STORM SEWER EASEMENT VACATION DESCRIPTION:

A PART OF LOT 1 OF PLAZA SHOPS AT PRAIRIE TRAIL PLAT 1, AN OFFICIAL PLAT IN THE CITY OF ANKENY, POLK COUNTY, IOWA, BEING 15.00 FEET WIDE AND LYING SOUTH OF AND ADJOINING THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 1; THENCE SOUTH 88°05'30" EAST ALONG THE NORTHERLY LINE OF SAID LOT 1, A DISTANCE OF 64.09 FEET; THENCE NORTH 53°54'30" EAST CONTINUING ALONG SAID NORTHERLY LINE, 314.59 FEET AND THEN EXTENDING TO THE WESTERLY LINE OF LOT P OF SAID PLAZA SHOPS AT PRAIRIE TRAIL PLAT 1 TO THE POINT OF TERMINUS.

LOT P

15' STORM SEWER EASEMENT DESCRIPTION:

A PART OF LOT P OF PLAZA SHOPS AT PRAIRIE TRAIL PLAT 1, AN OFFICIAL PLAT IN THE CITY OF ANKENY, POLK COUNTY, IOWA, BEING 7.50 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT P; THENCE SOUTH 26°25'46" EAST ALONG THE WESTERLY LINE OF SAID LOT P, 121.06 FEET; THENCE SOUTH 36°05'30" EAST CONTINUING ALONG SAID WESTERLY LINE, 73.03 FEET TO THE POINT OF BEGINNING; THENCE NORTH 53°54'30" EAST, 55.00 FEET TO THE POINT OF TERMINUS.

WHEREAS, the City staff have reviewed and approved said easement vacations; and

WHEREAS, the Code of Iowa provides that easements may be vacated only after notice and hearing as provided by law.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ankeny, Iowa, that a public hearing before this Council on the proposal set forth in the preamble to this Resolution is set for 5:30 PM, on the 6th day of December, 2010. The City Clerk is directed to publish Notice of said hearing at the time and in the manner required by law.

Dated at Ankeny, Iowa this 15th day of November, 2010.

Steven D. Van Oort, Mayor

ATTEST:

Pamela DeMouth, City Clerk